G. R. S. 58

Previous references.

bf 7ile 209 dfo 5-06
Ss 142 B. Feb 06

1907.

(Courts)

File No. 67/07

Serial Nos. 142

Later references.

No 281 of 08 Ss 142 B. March 08

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 142

Part B. for Dec. 07

SUBJECT.

Prayer of Mr Basavaradhya, Dy. Registrar, Chief Court to be ranked either as an Asst. Commr. or to be ranked as a Munsiff of the 2nd Grade.

From The Registrar, Chief Court of Mysore. No 1431/81 8/15-8-07

States that the case of Mr. Basavaradhya, Deputy Registrar of the Chief Court, deserves sympathetic treatment and recommends that he may either be taken to the general line as an Asst. Commr on a higher pay or that he may be graded as a 2nd class Munsiff on Rs 300/ in which case the scale of Munsiffs will have to be raised by the addition of one more either to the 1st or 2nd grade of Munsiffs in order that the

GPB.-8,000-7-4-07

proposal may not interfere with the prospects of other Munsiffs.

2. To. The Registrar, Chief Court of Mysore
no J 1769 of 16.12.07

Directs that the present sanctioned scale of Munsiffs should not be changed & that it is not necessary to grade the Deputy Registrar's appointment with that of Munsiffs.

G.R.S. 11] 1907/8

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

Gh File No. 67-07

FILE HEADING.

Prayer of Mr Basavaradhya, Deputy Registrar of the Chief Court to be ranked either as an Asst Comr or a Munsiff of the 2d grade.

From

The Registrar of the Chief Court of Mysore

No. 1431/81 Dated 15.8.07 Received 20.8.07

Diary No. 1546	Enclos. 2	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that the case of Mr Basavaradhya, Deputy Registrar of the Chief Court deserves sympathetic treatment and recommends that he may be either taken to the general line as an Asst Comr on a higher pay or, that he may be graded as a 2d class munsiff on Rs 300, in which case the scale of munsiffs will have to be raised by the addition of 1 more either to the 1st or 2d grade in order that the present proposal may not interfere with the prospects of munsiffs.

NOTES AND ORDERS.

1 The circumstances under which Mr Basavaradhya had to be taken over to the Ministerial Department are briefly set forth in the Dewan's note of 14.9.04 in ~~Courts file~~ G. M. File 57 of 04/05. On being removed from the Judicial line, he was

21 of 2.

NOTES—First sheet.

GPP.—30,000—20-3-06.

G. R. S. 12]
General and Revenue Secretariat.

6/0 File No. 67 of 1907

Serial No.

given the post of the District Sheristedar of Chitaldrug and was subsequently the District Sheristedar of the Bangalore District. He was then taken over to the General and Revenue Secretariat as Superintendent of 1st class on Rs 200 rising to 250 by annual increments of 10 Rs. He was then transferred to the Chief Court as Deputy Registrar in August 1905 and was allowed to draw the maximum pay of that post viz Rs 250.

2 On several previous occasions, Mr Basavaradhya has pressed his claims to be restored to his former status and pay. In this connection reference is invited to the recommendation of the Revenue Court in his letter no 3981 of 4th Feb 04. It is not known how this reference was disposed of. The matter seems to have been dealt with confidentially. There is a closed cover of confidential papers in J. File no 31 of 1899-00 herewith put up

Subd for orders

26/8/07 27/8/07 Secy) 27.8.07

3 I am not sure if the proposal of the Chief Court to rank Mr Basavaradhya

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as a munsiff to promote him to 300 Rs
are not too liberal in the circumstances
of the case. In the various representations
made by Mr Basavan adhya from time
to time there is not much expression
of regret for his action & his first
explanation of his conduct was a
denial of the allegations made - a denial
which was held to be incredible in the
circumstances. [illegible]

4 Without going into the
details of what occurred in
1901, which are not and
apart from questions of Mr
Basavan adhya's claims or disqualifications, it has
to be considered whether the proposal
of the chief Court which involves
increase of the pay & status of the
post of Dy Registar can be accepted.
5 The Chief Court has a registar
of the status of a Sub Judge
& it does not seem necessary to have
a deputy of the status of a first
or second grade munsiff. The
present pay of the Dy Registar is
200 - 250 which corresponds [illegible]
with

Note—Contn. sheet

GPB—50,000—25-2-07

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the pay of a fourth or 3rd class munsiff. It seems to be quite sufficient if the Dy Registrar is graded with a third class munsiff & the number of munsiffs in that class is increased by one.

6 ~~If the~~ I donot know if Mr Basavaradhya should be put at the top of that class or at the bottom, but his promotion to higher grades will depend on whether the Chief Court & Govt are prepared to send him out as a munsiff. If so he may be promoted to 300 Rs in due course & sent out as a munsiff, one of the other munsiffs on 250 or 200 being posted or promoted as Dy/Regr.

7 There is no possibility just now of taking Mr Basavaradhya as an asst Commr. 1st Cr

CS 30/8/07

3884/30-8-07

MMD 30-8-

8 In my opinion it is inadvisable to increase fixed scales of establishments to serve individual interests like those involved in the present case.

If the proposal is to be accepted it is desirable that it should be given effect to from the 1st July 1907.

MMD 5-9.

5/9/07

6199/5/9/07

NOTE—Contn. sheet

GPB—50,000—25-2-07

G. R. S. 12]
General and Revenue Secretariat.

Judicial

File No. 67 of 1907

Serial No.

9 Dewani adt

Please place before Council

B.O.

6/9(07)

Fl. misc: No 288/

Circula

W. To find seer for opinion re the proposal of the Ch. Ct as to classing the Dy Regr with munsiffs + increasing the cadre of munsiffs in the 1st & 2nd Class by one.

6/9.

To Por II)

Submitted

H.S.

12-9-07.

W.

9-9.

// The administrative Department is not for Sanctioning the proposal of the Chief Court.

mule (13-9-)

Find Seen

12

The value of the Dy Registrar's appointment is Rs (200-10-250) or minimum + 2/3rds of the difference or Rs 233 2/3.

The average value of the a Munsiffi appointment according to the figures given at pages 26-27 of the Civil List of 1-7-07 is Rs 233 1/3.

So the two average values are nearly the same

NOTE—Contn. sheet

GPB—50,000—25-2-07

G. R. S. 12]
General and Revenue Secretariat.

Cls File No. 67 of 1907

Serial No.

Re bringing the appointment into either the 1st or 2nd class of Rs 400/- (or the Rs 350/- & Rs 300/- grades) would be to raise the values of both appointments which is not permissible. Even the third class as Rs 250/- is too high. I think therefore the only grade to which the appointment can be added is Rs the fourth as Rs 200/- If the Dr Rep: is receiving a higher pay than Rs 200/ the difference may be treated as a personal allowance & in order that some chance of promotion may be secured to this particular officer he may be given a suitable position in the seniority list Class 4.

(Sd) 14.9.07

14.9.07

Dec 17.9 To Br: III

13. Subd to the Secretary

SW 17/9/07 18.9.07 Hanumantha Rao

14 Circulate to Council

(Sd) Clerk

(Sd) 19.9.

15 Seen

Subject for next meeting

Tim 20/9/07

NOTE—Contn. sheet

GPB—50,000—25-2-07

6916
16/11/07

7

Extract from the Proceedings of the 184th Meeting
16 *of the Council of His Highness the Maharaja,*
held at Bangalore on the 8th November 1907.

V. Subject.-(Clause V of the Schedule).

Recommendation of the Chief Court to rank Mr. Basavaradhya,-Deputy Registrar- as a Munsiff and to promote him to the 2nd grade of Munsiffs on 300 Rs.

O p I N I O N.

The Council is of opinion that the present sanctioned scale should not be changed and that it is not necessary to grade the Deputy Registrar's appointment with that of Munsiffs.

Sd/- V. P. Madhava Rao.
Dewan of Mysore.

"E x t r a c t"

CSBalasundaramiyr
Offg. Secretary to Government.

17 Submitted to His Highness.

18 These papers relate to a recommendation of the Chief Court on behalf of Mr. B.Basavardhya, Deputy Registrar of that Court. Prior to July 1901, Mr.Basavaradhya was a Munsiff on Rs.250. Under Government Order dated 26th July 1901 he was found "guilty of conduct unbecoming his position" and was reduced to the grade of District Sheristedar. In August 1905 he was appointed Deputy Registrar of the Chief Court and was given the maximum pay of the appointment, viz., Rs.250.

19 The Judges of the Chief Court consider that Mr. Basavaradhya has been more than sufficiently punished, and recommend that he may either be taken to the general line of Assistant Commissioners on a higher pay, or that the Deputy Registrar's place may be graded with that of a Munsiff, the number of Munsiffs in the first or second class being raised by one, and that Mr. Basavaradhya may be treated as having been at the top of the 3rd grade and promoted at once to the 2nd grade on Rs.300.

Papers under Disposal

The matter was considered in Council. The Council are of opinion that the present sanctioned scale of Munsiffs should not be changed and that it is not necessary to grade the Deputy Registrar's appointment with that of Munsiffs. This may be approved.

21/11/1907

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

376
22.11.07

Recommendation of the Chief Court for the promotion of Mr. Basavardhya, B.A.,B.L., Deputy Registrar of that Court.

21 *Order.*

383.

Approved

~~KRW~~

25/11/07

357
22.11.07

26/11/07

22 Issue orders accordingly. Let me see draft

27/11

Put up draft 23 28.11

G. R. S. 12]
General and Revenue Secretariat.

Cs File No. 67 of 1907.

Serial No.	
24	Subd with a draft order SW 28.11.07 — 25 Draft Submitted Secy) 28.11.07. WWW 26 Issue WB 7/12 WWW 7.12
	Issued 18 Dec 07
	WWW 21/12/07
2	To the Registrar, Chief Court. No J 1769 d. 14/12/07 Directs that the present sanctioned scale of Munsiffs should not be changed & that it is not necessary to grade the Deputy Registrar's appointment with that of Munsiffs.

NOTE—Contn sheet.

GPB—50 000—17.3.07

No. 1431/81. Enclosure 1 J 546

II/1 SR 476 4.8.07 1 67-07

Bangalore, dated 15th August 1907.

From

The Registrar,

Chief Court of Mysore.

To

C.S. Balasundaram Iyer Esq.,

Offg. Secretary to the Government of Mysore,

General and Revenue Departments.

Sir,

In forwarding herewith a copy of a representation made by Mr Basavaradhya, Deputy Registrar of this Court, I am directed to state that his case is one deserving of sympathetic treatment. His removal from the post of Munsiff was not due to any suspicion of inefficiency or of anything pointing to dishonesty. It was more due to thoughtlessness and he has lost thousands of rupees in money alone by having been sent down. The punishment has been, in the opinion of the Judges, much more than the misdeed charged to him merited.

2. If he had continued as Munsiff he would have been a Sub Judge or at any rate a 1st grade Munsiff by this time. It may not be possible to restore him to this position, but it is considered desirable to do what is feasible in that direction, as he has been doing his work in this office well and has given satisfaction both as regards his ability and industry.

3. If it is possible, he may be taken to the general line as an Assistant Commissioner on a higher pay. Otherwise, I am to suggest that the Deputy Registrar's place may be made to rank as that of a Munsiff either as a general rule, or if that is deemed unnecessary, in the case of this particular officer. He has been drawing 250 Rs ever since he came to this court, and was in receipt of a similar pay for about six years before he was removed from the Munsiff's place. The Chief Court therefore recommends that he may be regarded as being at the top of the 3rd grade and promoted at once to the 2nd grade on Rs 300/-, as there is now a vacancy in the 1st grade.

(vide civil list)

4. I am to add that in order to prevent the addition of the Deputy Registrar's place interfering with the prospects of the Munsiffs, the scale may be raised by the addition of 1 more either to the 1st or the 2nd grade, where the numbers at present are 2 and 3 respectively.

I have the honor to be,

Sir,

Your most obedient servant,

B.S. Aravamudha Iyer

For Registrar.

Bangalore, dated 12th August 1907.

To

H.V. Nanjundayya Esq., M.A., M.L.,
Offg. Chief Judge,
Chief Court of Mysore,
Bangalore.

Sir,

Prior to July 1901, I was a Munsiff of the 2nd grade and a 2nd class Magistrate, and was drawing a pay of Rs.250/- per mensem for more than six years. I was just below Mr B.S. Krishnaswamy Iyengar now a Sub-Judge, and if I had continued in that line I would have also become a Sub-Judge.

Subsequent to 1901, I was for a time in the Revenue Department as a District Shirastedar and in 1904 the peculiar circumstances of my unfortunate case appealed themselves so strongly to the sense of justice of the then Revenue Commissioner Mr V.P. Madhava Rao, C.I.E., (the present Dewan Saheb) that he was pleased, in his letter No.3981 dated 4th February 1904 (copy enclosed for ready reference) to strongly recommend to Government that I should be restored to my former appointment in the Judicial Department or to an appointment of equal pay and status in the Revenue Department. If this recommendation had been carried out, I would have, by this time, been drawing a much higher pay than

than now.

Situated as I am, I am now drawing a pay which I was drawing in 1895, so that I have been thrown back in the race of life by 12 years.

I am getting the highest pay of the Deputy Registrar through the magnanimous kindness of the Judges of the Chief Court for the last two years; but there are no chances of any further promotion here. Even when I did duty as Registrar in December last, Government ruled, on some technical grounds, that no allowance could be granted to me.

Under these circumstances I beg leave of you to lay my pitiable case before you, and to most respectfully submit that, whatever be my fault, I have suffered long enough for it and it has been, in my humble opinion, sufficiently atoned for.

As to how I did my work as a Munsiff, it can be easily tested. I was in Maddagiri and Tumkur for a number of years & all appeals from those courts were directly to the Chief Court. A couple of dozen or more cases which were in appeal may be sent for from the Chief Court Records and inspected by you.

For these reasons I most humbly beg to request that you will be graciously pleased to take the above facts into your merciful consideration and as a special case to recommend to Government to grade me as a Munsiff and give me the 1st grade which

is vacant now in this Department, or to take me to the Revenue Department on that pay.

I beg to remain,

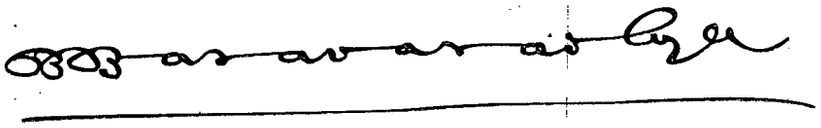
Sir,

Your most obedient & humble servant,

Sd-. B. Basavaradhya,

Deputy Registrar.

" Copy "



For Registrar.

Office of the Revenue Commissioner in Mysore,

No.3981.

Bangalore, 4/5th February 1904.

From

V.P. Madhava Rao Esq., C.I.E.,
Revenue Commissioner in Mysore.

To

H.V. Nanjundayya Esq., M.A., M.L.,
Secretary to the Government of H.H. the
Maharaja of Mysore.

Sir,

I have the honor to forward for the favourable consideration of Government the accompanying petition with enclosures received from Mr Basavaradhya, B.A.,B.L., District Shirastedar, Bangalore (through the Deputy Commissioner, Bangalore District) praying for restoration to his former pay and status.

In Government Order No.1576-78/J.135 dated 26th July 1901, Mr Basavaradhya was directed to be"removed from his present appointment and provided with a suitable ministerial appointment, he having been guilty of conduct unbecoming his position as a responsible officer of Government". Subsequently by his appoint-ment as District Shirastedar he has lost every month Rs100 for the past more than 2½ years, which is in my humble opinion a punishment more severe than the offence justified. In any case Mr Basavaradhya has suffered sufficiently long for his errors.

I would therefore strongly recommend his restoration to his former pay and position either in the Judicial Department or a position of similar status in the Revenue Department, where he has been working for some time past. He has been very favorably spoken of by all the Deputy Commissioners under whom he has served.

" Copy ".

I have &c.,

Sd-. G. Aravamuda Iyengar,

For Rev. Commr.

Dy. Registrar.

G.R.S. 28]

Courts

File No. 67-07

Serial No. 2

Diary No. of letter replied to ———

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 190

Date of issue 11-12-07

Signed by Mr K. Nyar Rao

READ.— Letter No 1431/81 dated the 15th August 1907, from the Registrar of the Chief Court of Mysore, ~~stating that the Judges of the Chief Court are of opinion that~~ Mr Basavaradhya, Dy Registrar, has been more than sufficiently punished and recommending either ~~that~~ Mr. Basavaradhya, Dy Registrar, ~~be or may either~~ be taken to the general line of Assistant Commissioners on a higher pay than he is drawing now or that the Deputy Registrar's appointment may be graded over with

~~ORDER THEREON.~~ No.

may either

SUBJECT

MGCPB—9,000—11-9-04

Copied J.R. 10/12.

with that of a Munsiff, the no of munsiffs in the 1st or 2nd class being being raised by one, and that Mr Basavaradhya Mr Basavaradhya may be treated as having been at the top of the 3rd class and promoted to the 2nd Class on Rs 300

Order thereon No J.1709 dated 11th December 1907
Ets 67-07-2

The Government of His Highness the Maharaja are of opinion that the present sanctioned scale of Munsiffs should not be changed and that it is not necessary to grade the Deputy Registrars appointment with that of Munsiffs

Chief Secretary

To The Registrar, Chief Court

SN
28/11/07